MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	131239/AO/2021
Date registered valid:	2 August 2021
Proposal:	The retention of 1no illuminated logo panel and installation of 1no illuminated surround sign
Address:	29 Withy Grove, Manchester, M4 2BJ
Ward(s):	Piccadilly Ward
Applicant:	Cardtronics UK Ltd t/a Cashzone PO Box 476, Hatfield, AL10 1DT
Agent (if any):	Cardtronics Service Solutions Hope Street, Rotherham, S60 1LH
Case officer:	Eve Woolstencroft Tel: 0161 234 4533 Email: eve.woolstencroft@manchester.gov.uk
Recommendation:	Approve
Date of recommendation:	28 September 2021

Application details

Type of application: Advertisement Consent

Development type: Advertisements

Date of site visit:

Standard consultations:
Printed: 16 August 2021 Expired: 6 September 2021

Neighbour notifications
Printed: 16 August 2021 Expired: 6 September 2021

Site notice
No site notice has been produced

Press advert
No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Listed building: Not applicable

Conservation area: Shudehill Conservation Area 1987

Tree Preservation Order:

Description of Site/Area
The application site relates to a ground floor commercial unit that is in use as a Hot Food Takeaway. The site is located within Shudehill Conservation Area.

Description of Development
The retention of 1no illuminated logo panel and installation of 1no illuminated surround sign

Consultations & Notification Responses

Local residents were notified however no response were received.

Highways:

FASCIA SIGN 1:

The proposed sign is not located on the adopted highway network.

The proposed sign extends to a maximum projection of 0.004m over the adopted highway.As such, a Projection over License will not be required.

The proposed luminance of the sign is noted as 100 cd/m2 which is considered to be in line with the 600 cd/m2 maximum stated by the Institute of Lighting Engineers.

The proposed sign complies with headroom and carriageway clearance requirements.

FASCIA SIGN 2:
The proposed sign is not located on the adopted highway network.

The proposed sign extends to a maximum projection of 0.001m over the adopted highway.

As such, a Projection over License will not be required.

The proposed luminance of the sign is noted as 100 cd/m2 which is considered to be in line with the 600 cd/m2 maximum stated by the Institute of Lighting Engineers.

The proposed sign complies with headroom and carriageway clearance requirements

Policies

The main issues for consideration relate to the acceptability of the proposals in terms of the impact on visual amenity in particular on the adjacent conservation areas and on public safety. The main policies that relate to the assessment of the proposals are Sections 7 (Requiring Good Design) and 12 (Conserving and enhancing the historic environment) of the National Planning Policy Framework, policies EN3 (Heritage), CC9 (Design and Heritage), SP1 (Spatial Principles) and DM1 (Development Management) of the Core Strategy for the City of Manchester and saved policies DC14.1 and 14.5 (Shop Fronts and Related Signs) and DC18.1 (Conservation Areas) of the Unitary Development Plan for the City of Manchester.

Visual Amenity

The proposed signage is small scale and set around an ATM which is set within a shop front. It is therefore not considered that the proposed advertisements would have a detrimental impact on the visual amenity of the shop front and maintains the character and appearance of Shudehill Conservation Area.

Given this, the proposed signage is considered to be in accordance with Sections 7 (Requiring Good Design) and 12 (Conserving and enhancing the historic environment) of the National Planning Policy Framework, policies EN3 (Heritage), CC9 (Design and Heritage) and DM1 (Development Management) of the Core Strategy for the City of Manchester and saved policies DC14.1 and 14.5 (Shop Fronts and Related Signs) and DC18.1 (Conservation Areas) of the Unitary Development Plan for the City of Manchester.

Public Safety - No issues

Other issues

The ATM has been installed within an existing shopfront which displays a number of unauthorised signage. The unauthorised signage on the building is considered to be unacceptable due to the location, size, design, and appearance.
They are not in keeping with the character of the area or with the scale of the frontage of the building and are therefore detrimental to visual amenity and inconsistent with UDP policies DC14.1 and DC14.5 'Shop Fronts & Related Signs'. They and do not preserve or enhance the character of the Shudehill Conservation Area and are therefore inconsistent with UDP policy DC18.1 'Conservation Areas'.

The applicant was therefore asked to remove this signage from the proposed drawings as it does not benefit from advertisement consent as enforcement action may be taken in relation to these signs.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved polices of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Recommendation: Approve

Article 35 Declaration

Officers have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application.

Condition(s) to be attached to decision for approval OR Reasons for recommendation to refuse

1) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

No advertisement shall be sited or displayed so as to:
(a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
(b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
(c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

2) The development hereby approved shall be carried out in accordance with the following drawings and documents:

-Location Plan received by the City Council as Local Planning Authority on 02 August 2021.
-Existing and Proposed Plans and Elevations Drawing ref E023636 Rev 01 received by the City Council as Local Planning Authority on 27 September 2021.
-Proposed Logo Panel Drawing ref. NW0094 received by the City Council as Local Planning Authority on 02 August 2021.
-Top & Bottom Ftu Illuminated Sign Drawing ref. NW0305 received by the City Council as Local Planning Authority on 02 August 2021.

Reason - To ensure that the development is carried out in accordance with the approved plans. Pursuant to policies SP1 and DM1 of the Core Strategy.

Appendix 1 – List of consultees & neighbours notified

Highway Services

Unit 37 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit 40 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit 41 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit 36 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit 35 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit 39 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Treetop Adventure Golf, Unit 17A, The Printworks, 7 Dantzic Street, Manchester, M4 2AD
Unit 21 And 22, The Printworks, Withy Grove, Manchester, M4 2BS
Flat 802, The Works, 33 Withy Grove, Manchester, M4 2BJ
Flat 901, The Works, 33 Withy Grove, Manchester, M4 2BJ
Unit R3, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit 16 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit 14 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Units 11 And 12, The Printworks, Withy Grove, Manchester, M4 2BS
Unit 16 To 17, The Printworks, Withy Grove, Manchester, M4 2BS
Unit 23A, The Printworks, Withy Grove, Manchester, M4 2BS
Unit 3A, The Printworks, Withy Grove, Manchester, M4 2BS
Flat 203, The Works, 33 Withy Grove, Manchester, M4 2BJ
Flat 103, The Works, 33 Withy Grove, Manchester, M4 2BJ
Unit 34 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit 15 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit 5 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
The Printworks, Withy Grove, Manchester, M4 2BS
Second Floor, The Printworks, Withy Grove, Manchester, M4 2BS
Unit 20, The Printworks, Withy Grove, Manchester, M4 2BS
Flat 602, The Works, 33 Withy Grove, Manchester, M4 2BJ
Flat 501, The Works, 33 Withy Grove, Manchester, M4 2BJ
Flat 106, The Works, 33 Withy Grove, Manchester, M4 2BJ
Flat 401, The Works, 33 Withy Grove, Manchester, M4 2BJ
Flat 302, The Works, 33 Withy Grove, Manchester, M4 2BJ
Unit 22 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit 8 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit MSU1 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
The Printworks, Corporation Street, Manchester, M4 2BS
Nuffield Health, Unit 4, The Printworks, Withy Grove, Manchester, M4 2BS
Flat 803, The Works, 33 Withy Grove, Manchester, M4 2BJ
Unit 18 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit 3 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Units 5 And 6, The Printworks, Withy Grove, Manchester, M4 2BS
Unit 13, The Printworks, Withy Grove, Manchester, M4 2BS
Flat 305, The Works, 33 Withy Grove, Manchester, M4 2BJ
Unit 33 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit 30 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit 26 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit 7 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Flat 703, The Works, 33 Withy Grove, Manchester, M4 2BJ
Flat 503, The Works, 33 Withy Grove, Manchester, M4 2BJ
Flat 304, The Works, 33 Withy Grove, Manchester, M4 2BJ
Flat 101, The Works, 33 Withy Grove, Manchester, M4 2BJ

Unit 29 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit 17 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit 12 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Units 1 And 2 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit 14, The Printworks, Withy Grove, Manchester, M4 2BS
Unit 19, The Printworks, Withy Grove, Manchester, M4 2BS
Hard Rock Cafe, The Printworks, Corporation Street, Manchester, M4 2BS
Flat 504, The Works, 33 Withy Grove, Manchester, M4 2BJ
Flat 303, The Works, 33 Withy Grove, Manchester, M4 2BJ
Flat 404, The Works, 33 Withy Grove, Manchester, M4 2BJ
Flat 104, The Works, 33 Withy Grove, Manchester, M4 2BJ
Flat 102, The Works, 33 Withy Grove, Manchester, M4 2BJ
Unit 28 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit 13 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit 4 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit 19 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit 27 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit 6 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
35 - 39 Withy Grove, Manchester, M4 2BJ
2 Dantzic Street, Manchester, M4 2AD
Kiosk, The Printworks, Withy Grove, Manchester, M4 2BS
Units 2 An 2C, The Printworks, Withy Grove, Manchester, M4 2BS
Unit 18, The Printworks, Withy Grove, Manchester, M4 2BS
Unit 1A, The Printworks, Withy Grove, Manchester, M4 2BS
Unit 3, The Printworks, Withy Grove, Manchester, M4 2BS
Unit 2C, The Printworks, Withy Grove, Manchester, M4 4BS
Unit 15, The Printworks, Withy Grove, Manchester, M4 2BS
Unit 1, The Printworks, Withy Grove, Manchester, M4 2BS
Flat 902, The Works, 33 Withy Grove, Manchester, M4 2BJ
Flat 701, The Works, 33 Withy Grove, Manchester, M4 2BJ
Flat 502, The Works, 33 Withy Grove, Manchester, M4 2BJ
Flat 204, The Works, 33 Withy Grove, Manchester, M4 2BJ
Flat 201, The Works, 33 Withy Grove, Manchester, M4 2BJ
Flat 105, The Works, 33 Withy Grove, Manchester, M4 2BJ
Flat 205, The Works, 33 Withy Grove, Manchester, M4 2BJ
Flat 301, The Works, 33 Withy Grove, Manchester, M4 2BJ
Flat 202, The Works, 33 Withy Grove, Manchester, M4 2BJ
Unit R5 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Next, 100 Corporation Street, Manchester, M4 3AJ
Basement, 5 Well Street, Manchester, M4 2AB
The Works, 33 Withy Grove, Manchester, M4 2BJ
5 Well Street, Manchester, M4 2AG
7 Shudehill, Manchester, M4 2AF
Drome, 94 - 96 Arndale Centre, Market Street, Manchester, M4 2HU
Chisholme Hunter, 60 Arndale Centre, Market Street, Manchester, M4 2HU
99 - 101 Arndale Centre, Market Street, Manchester, M4 2HU
31 Withy Grove, Manchester, M4 2BJ
Unit 10, The Printworks, Withy Grove, Manchester, M4 2BS
Hard Rock Casino, Withy Grove, Manchester, M4 2BS
Time Out, Withy Grove, Manchester, M4 2BS
Flat 403, The Works, 33 Withy Grove, Manchester, M4 2BJ
Flat 402, The Works, 33 Withy Grove, Manchester, M4 2BJ
Store For Unit 3 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Flat 601, The Works, 33 Withy Grove, Manchester, M4 2BJ

Flat 604, The Works, 33 Withy Grove, Manchester, M4 2BJ
Flat 801, The Works, 33 Withy Grove, Manchester, M4 2BJ
Flat 702, The Works, 33 Withy Grove, Manchester, M4 2BJ
Flat 603, The Works, 33 Withy Grove, Manchester, M4 2BJ
Unit R8 Upper Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit R1 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit R4 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit MSU3 Upper Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit 27 Upper Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Units R6 And R7 Upper Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit R2 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit MSU4 Upper Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit R9 Upper Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit MSU5 Upper Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit 38B Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit MSU2 Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ
Unit 38A Lower Mall, Arndale Centre, 98 Corporation Street, Manchester, M4 3AJ

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4
Article 4 Direction - City Centre PD Restriction - Class B1(a) To C3
Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 90M
Coal Authority - Development Low Risk - Name: DEVELOPMENT_LOW_RISK_AREA
Conservation Area - Shudehill Conservation Area 1987
Susceptible to Surf Water Flood (Less) -
Area Team Boundary - Name: CITY1